IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 10390 of 2004

Between:
K. Sahadeva, s/o. Narayana,
R/o. Kothapeta, R.R. District, Hyderabad - 35.

..... PETITIONER

AND
1 The Government of A.P. rep by its Commissioner, Prohibition & Excise, Nampally, Hyderabad.
2 The Prohibition and Excise Superintendent Cum Functional Registrar, TTCS Ranga Reddy District, Narayanaguda, Hyderabad.
3 The Prohibition & Excise Inspector, Prohibition & Excise Station, Uppal cum Person Incharge, TCS Kothapet (East) L.B. Nagar Municipality, R.R. District, Hyderabad.
4 The Toddy Tappers Cooperative Society, Kothapet (East), R.R. District, Hyderabad. Rep by its Presidnet V. Ramesh S.o. Bikshapathy, age not known, R/o. Toddy Compound, Kothapet, Hyderabad - 35.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particular one in the nature of writ of Mandamus, declaring the action of the 2nd respondent for not considering the objection/complaint/application of the petitioners dated 28-01-2004 and detailed complaint dated 19-3-2004 is bad, illegal, ultravirus and contrary to Provisions A.P. Excise Act, 1964, A.P. Cooperative Societies Act 1964 and contrary to the Excise (Toddy) Policy Guidelines for the period from 01-10-2003 to 30-09-2004 as contemplated under G.O.Ms.No.998 dated 01-10-2003 and consequently set aside/supersede the managing committee of the 3rd respondent under Section 34 of the A.P.C.S. Act which was formed on 01-03-2004.

Counsel for the Petitioner: Mr.V.SURENDER REDDY

Counsel for the Respondent 1 to 3: G.P. FOR PROHIBITION & EXCISE

The Court at the admission stage made the following ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the second respondent in not disposing of the representations of the petitioner dated 28.01.2004 and 19.03.2004.

2. According to the petitioner, he made representations dated 28.01.2004 and 19.03.2004 to second respondent, who is the Functional Registrar, under the provisions of the Andhra Pradesh Cooperative Societies Act, 1964 (for short 'the Act'), making allegations against Mr.V. Ramesh, who was elected as a President, that he was not eligible to become member of the Society. In spite of the said representations made by the petitioner to second respondent, second respondent failed to dispose of the said representation. Hence, the petitioner has come up with the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition & Excise.

4. Admittedly, the representations made by the petitioner, which are stated to be one of the disputed issues, referred to under Section 51 of the Act, have to be adjudicated upon by the Functional Registrar.

5. Under the above circumstances, the writ petition is disposed of at the admission stage, directing second respondent to dispose of the representations made by the petitioner dated 28.01.2004 and 19.03.2004 expeditiously, preferably within a period of six weeks from the date of receipt of a copy of this order.

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24.06.2004

va

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Government of A.P. rep by its Commissioner, Prohibition & Excise, Nampally, Hyderabad.
2 The Prohibition and Excise Superintendent Cum Functional Registrar, TTCS Ranga Reddy District, Narayanaguda, Hyderabad.
3 The Prohibition & Excise Inspector, Prohibition & Excise Station, Uppal cum Person Incharge, TCS Kothapet (East) L.B. Nagar Municipality, R.R. District, Hyderabad.
4 Two CCs to G.P. for Prohibition and Excise, High Court Buildings, Hyderabad (OUT)
5 Two CD copies